businesscompanion
trading standards law explained

Part 2. How to become a certified installer

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Overview

Just as a restaurant needs to be registered with its local authority before it can serve food, or a taxi firm needs a licence before it can accept passengers, a business that installs renewable energy under many government schemes needs to belong to a Certification Scheme before it can go into people's homes and carry out work.

One such scheme is the Microgeneration scheme (MCS). To join MCS installers are required to be a member of two bodies:

It is important to note that a business must be a member of a Certification Scheme whether it is based in England, Wales, Scotland or Northern Ireland.

Standards Organisations and Quality Schemes

As a standards organisation, MCS sets the rules which installers must follow for the installation green energy products – such as solar panels and energy storage batteries. In addition, MCS maintains a database of all installations in the UK, so it can keep track of problems and issues with particular traders.

A Government Endorsed Quality Scheme that operates in the home renewables sector is TrustMark. Tradespeople carrying out certain home energy improvements under schemes such as the Energy Company Obligation (ECO) should be TrustMark registered. In the words of Chief Executive Simon Ayers, TrustMark's involvement in the sector is in response to "the need for an all-encompassing mark of quality for consumers to recognise and rely upon – regardless of the type of work they are having carried out in their home."

While traders that solely install home insulation products under schemes such as ECO do not have to belong to an MCS-approved certification scheme, they must still be TrustMark-approved.

Installers that install only **home insulation products** (e.g. insulation), will need be TrustMark registered, through a TrustMark scheme provider.

Installers that wish to install renewable energy **technology** under government schemes will need to be a member of a consumer code, registered with MCS and certified through a certification body.

RECC and HIES provide the opportunity for their members to become TrustMark registered.

Certification Bodies

Certification Bodies assess installers to ensure they come up to MCS's standards. According to Ian Rippin, Chief Executive of MCS, the first thing Certification Bodies focus on is "'hygiene factors' that show you are running a quality business" – this includes record-keeping and complaint-handling procedures.

"We look for evidence that you are managing the business in a way to deliver quality every time to every customer," Rippin explains. "As not every installation is inspected under MCS, it is important that a business can demonstrate it has the necessary competencies and procedures in place to deliver quality installations every time."

Certification Bodies conduct practical checks in the field to ensure technical competency. As Rippin says, "They check traders are installing to the technical standards set out by MCS. If you're fitting a heat pump, for example, there is a technical standard for that. You need to demonstrate in the field with an audit of a specific installation to show that you are fitting it in a competent way."

"The MCS scheme includes all sorts of safety nets, including if a business ceases to trade and there's a problem with the workmanship. There are insurance-backed guarantees that you're obliged to provide as an installer to back up the guarantee that you're giving your customers."

Certification is not just a box-ticking exercise; it gives traders the confidence that their practices and procedures are safe and robust, and have been scrutinised by experts. "MCS is the custodian of standards which have been written by industry for industry – we benefit from over 200 experts who sit in our working groups, defining best practice," says Rippin.

Each of these organisations assesses and monitors the technical competency of renewable technology installers. The areas they each specialise in are listed in the column on the right.

Renewable technology certifcation bodies

Name	Contact	Technologies
APHC (Association of Plumbing and Heating Contractors)	0121 711 5030 info@aphc.co.uk	Solar thermal Biomass Heat pumps
CERTSURE T/A NICEIC (National Inspection Council for Electrical Installation Contractors)	01582 539 140 mcsadmin@niceic.com	Micro-CHP Wind turbines Solar thermal Biomass Heat pumps Solar PV

Name	Contact	Technologies
NAPIT (National Association of Professional Inspectors and Testers)	0845 543 0330 Info@napit.org.uk	Micro-CHP Wind turbines Solar thermal Biomass Heat pumps Solar PV
HETAS (Heating Equipment Testing and Approval Scheme)	01684 278 170 Info@hetas.co.uk	Solar thermal Biomass
OFTEC (Oil Firing Technical Association)	01473 626 298 https://www.oftec.org/about/contact	Solar thermal Biomass Heat pumps
CERTSURE LLP t/a ELECSA	03333 218 220 microgeneration@certsure.com	Micro CHP Wind Turbines Solar Thermal Biomass Heat Pumps Solar PV

Consumer Codes

Consumer Codes require that businesses provide consumers with clear and accurate information, and provide access to Alternative Dispute Resolution (ADR) if a consumer is dissatisfied with the work carried out (see below). They also provide businesses with valuable support and advice to help them avoid receiving complaints in the first place.

Businesses carrying out MCS installations must register with one of the two Chartered Trading Standards Consumer Codes: the Home Insulation and Energy Systems contractors scheme (HIES) and the Renewable Energy Consumer Code (RECC). RECC.

Becoming part of a Consumer Code requires a business to demonstrate they have the integrity, capacity and procedures in place to abide by consumer law.

Virginia Graham, Chief Executive of the Renewable Energy Consumer Code (RECC), explains: ““The application process is divided into two parts.

“The first part of the RECC application includes a range of declarations, made by the applicant, about the previous trading history of the company, and of all the directors, shareholders and senior managers. We

also check the applicant's credit rating, and we look for any relevant County Court Judgments, any rulings from the Information Commissioner's Office, and any rulings from the Advertising Standards Authority. When we receive the application form, we check all the declarations. If we find an applicant has not filled in the form correctly, that will raise a red flag immediately and we will want to understand why.

"The second part is designed to give us comfort that the applicant is able to comply with the Code and the Bye-Laws. We ask to see the training logs, contracts, cancellation notices, warranties, performance estimates and all consumer-facing documents, to check that they are compliant with the Code and the Bye-Laws. 90% of Code requirements are derived from consumer protection legislation in force, so traders should be fully compliant with this in any case.

"If they don't have those documents – if they're a new business, for example – we have guidance and model documents which they can use. We try to help our applicants and members as much as we can. We're not trying to make life difficult for them, but we need to be sure that they are compliant so as to protect consumers."

The Home Insulation & Energy Systems Quality Assured Contractors Scheme (HIES) also operates its own application process. Faisal Hussain, Chief Executive of HIES, likewise says that the Code exists not to penalise traders, but to make sure everyone gets a fair deal. "The code of practice is designed to give a framework to our members of how they should interact with a customer throughout the customer's journey," he says. "It starts with marketing – you shouldn't make any misleading claims, for example. Then it moves on to selling practices and how information should be presented to a customer.

"Then it moves on to the installation side of things; installation should be fit and proper, and use the correct products. Then it covers post-installation customer service. In a nutshell, the Code is about treating customers the right way and in a fair and respectful manner."

Alternative Dispute Resolution

Access to Alternative Dispute Resolution (ADR) is provided by both RECC and HIES as a means of helping consumers and traders find a mutually agreeable solution to any disputes that may arise. It is beneficial to consumers and businesses alike because it is often a quicker, less intensive process than a traditional court case.

Click here for more information about ADR and how it works can be found.

Other organisations

In addition to Standards Organisations and Quality Schemes, Certification Bodies and Consumer Codes, various organisations exist to ensure that those operating within the home renewables sector adhere to their legal responsibilities. Many of them are also useful sources of advice to traders and can help businesses of all sizes and with all levels of experience get the most from the industry.

As mentioned above, CTSI administers the Consumer Codes scheme. It also operates the Business Companion website on behalf of the Government, and its consumer law experts can assist businesses with best practice advice. It works alongside Local Authority Trading Standards services, which enforce consumer protection law.

The Energy Saving Trust and Home Energy Scotland are Government-backed advice services that can help consumers and businesses with queries about energy efficiency and renewable technologies for domestic use.

Within Government itself, the Office for the Gas and Electricity Market (Ofgem) provides administrative support for Government-backed incentive schemes, in addition to investigating fraudulent activities committed by consumers and businesses against the incentives. Finally, the Department for Business, Energy and Industrial Strategy (BEIS) sets renewable energy policy for the UK, while the devolved Governments of Scotland, Wales and Northern Ireland administer local energy efficiency schemes.

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